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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12  
13 v.  
14 MARCOS R. ROJOS-BLANCAS,  
15 Defendant.

Case No. 2:23-mj-00805-DJA  
**ORDER TO CONTINUE**  
**MOTION DEADLINES AND BENCH**  
**TRIAL DATE**  
(First Request)

16  
17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,  
18 United States Attorney, and Imani Dixon, Assistant United States Attorney, counsel for the  
19 United States of America, and Rene L. Valladares, Federal Public Defender, and Rick Mula,  
20 Assistant Federal Public Defender, counsel for Marcos R. Rojos-Blancas, that the bench trial  
21 scheduled for February 14, 2024 at 9:00 a.m., be vacated and set to a date and time convenient  
22 to this Court, but no sooner than sixty (60) days.

23 IT IS FURTHER STIPULATED AND AGREED, that the parties herein shall have to  
24 and including February 5, 2024, to file any and all pretrial motions and notices of defense.

25 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they  
26 shall have to and including February 19, 2024, to file any and all responsive pleadings.

1 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they  
2 shall have to and including February 26, 2024, to file any and all replies to dispositive motions.

3 The Stipulation is entered into for the following reasons:

4 1. Counsel for the defendant needs additional time to conduct investigation in this  
5 case in order to determine whether there are any pretrial issues that must be litigated and  
6 whether the case will ultimately go to trial or will be resolved through negotiations.

7 2. The defendant is out of custody and does not object to the continuance.

8 3. The parties agree to the continuance.

9 4. The additional time requested herein is not sought for purposes of delay, but  
10 merely to allow counsel for defendant sufficient time within which to be able to effectively and  
11 complete investigation of the discovery materials provided.

12 5. Additionally, denial of this request for continuance could result in a miscarriage  
13 of justice. The additional time requested by this Stipulation is excludable in computing the time  
14 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United  
15 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,  
16 Section 3161(h)(7)(B)(i), (iv).

17 This is the first stipulation to continue filed herein.

18 DATED this 30th day of November, 2023.

19 RENE L. VALLADARES  
20 Federal Public Defender

21 By /s/ Rick Mula

22 RICK MULA  
Assistant Federal Public Defender

JASON M. FRIERSON  
United States Attorney

By /s/ Imani Dixon

IMANI DIXON  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 MARCOS R. ROJOS-BLANCAS,

7 Defendant.

Case No. 2:23-mj-00085-DJA

FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER

9  
10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
12 Court finds that:

13 1. Counsel for the defendant needs additional time to conduct investigation in this  
14 case in order to determine whether there are any pretrial issues that must be litigated and  
15 whether the case will ultimately go to trial or will be resolved through negotiations.

16 2. The defendant is out of custody and does not object to the continuance.

17 3. The parties agree to the continuance.

18 4. The additional time requested herein is not sought for purposes of delay, but  
19 merely to allow counsel for defendant sufficient time within which to be able to effectively and  
20 complete investigation of the discovery materials provided.

21 5. Additionally, denial of this request for continuance could result in a miscarriage  
22 of justice. The additional time requested by this Stipulation is excludable in computing the time  
23 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United  
24 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,  
25 Section 3161(h)(7)(B)(i), (iv).

**CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

**ORDER**

IT IS THEREFORE ORDERED that the parties herein shall have to and including February 5, 2024 to file any and all pretrial motions and notice of defense.

IT IS FURTHER ORDERED that the parties shall have to and including February 19, 2024 to file any and all responses.

IT IS FURTHER ORDERED that the parties shall have to and including February 26, 2024 to file any and all replies.

IT IS FURTHER ORDERED that the bench trial currently scheduled for February 14, 2024, at the hour of 9:00 a.m., be vacated and continued to April 24, 2024, at 9:00 a.m., Courtroom 3A.

DATED this 5<sup>th</sup> day of December, 2023.



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DANIEL J. ALBREGTS  
United States Magistrate Judge